

**UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF LOUISIANA**  
**LAFAYETTE-OPELOUSAS DIVISION**

**SHANE DIAMOND, ET AL.**

**\*CIVIL ACTION NO. 09-1236**

**VS.**

**\*JUDGE HAIK**

**LAFAYETTE CITY POLICE DEPARTMENT,  
ET AL.**

**\*MAGISTRATE JUDGE HILL**

**ORDER**

Review of the complaint reveals that plaintiffs have sued defendant Michael Anthony Millazo in his individual capacity and that this defendant has asserted the defense of qualified immunity in his answer to the complaint. Thus, the heightened pleading requirements are applicable. *See Baker v. Putnal*, 75 F.3d 190, 195 (5th Cir. 1996). Review of the plaintiffs' complaint reveals that the plaintiffs have satisfied the heightened pleading requirements. Thus, no Rule 7(a) order will be entered in this case.

Signed this 14<sup>th</sup> day of December, 2009 at Lafayette, Louisiana.

  
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C. MICHAEL HILL  
UNITED STATES MAGISTRATE JUDGE